

BS01300

U.S. Application No. 09/995,647 Art Unit 2194
§ 1.116 Amendment After Final in Response to September 7, 2005 Final Office Action

REMARKS

In response to the Final Office Action dated September 7, 2005, the Assignee respectfully requests entry of this amendment after final. This amendment after final rejection puts the allowable claims in a condition for allowance. This amendment after final rejection also cancels any claims not dependent upon an allowable base claim. The Assignee thus respectfully submits that the pending claims are ready for a Notice of Allowance.

The United States Patent and Trademark Office (the "Office") rejected claims 11, 15, and 32 under 35 U.S.C. § 112, second paragraph, for indefiniteness. These claims have been canceled, so the rejection is moot.

Claims 24-38 were rejected under 35 U.S.C. § 101 for non-statutory subject matter. The Assignee accepts Examiner Zhen's suggestion and amends the preamble to include "computer implemented method." Examiner Zhen is thanked for the suggestion.

Claims 1-5, 7, 9-18, 20-21, 23-26, 28-29, 31-36, and 38 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Kirkwood* in view of U.S. Patent 6,513,038 to Hasegawa *et al.*

- Claims 1, 3, 5, 11, 13, 15, 17-18, 24-26, 32, and 34-36 have been canceled, so the rejection of these claims is moot.
- Claims 2, 4, 7-10, 12, 14, and 16 now depend from allowable claim 6.
- Claims 20-22 now depend from allowable claim 19.
- Claims 28-31 and 33 now depend from allowable claim 27.
- Claim 38 now depends from allowable claim 37.
- Independent claim 23 has additionally been amended to recite all the features of allowable claim 27.

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If any questions arise, the Office is requested to contact the undersigned at (919) 387-6907 or scott@wzpatents.com.

Respectfully submitted,



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